

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.17225 of 1996

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Date 09.09.2005

Between:

S.Tirupathi, S/o Satyanarayana, Vijayanagaram District & others.

..... PETITIONERS

AND

MD., A.P. Vikalangula Co-operative Corpt., A.C.Guards, Hyd-500004 & others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.17225 of 1996

O R D E R:

The grievance of the petitioners in this writ petition is that, despite a circular being issued by the first respondent on 11.11.1986 in proceedings No.APVCC/MD/No.EE2/86/D 4889, wherein employees who had completed two years of service in the Corporation were held entitled for payment of time scale of pay attached to the post, the benefit of time scale of pay has not been extended to the petitioners, without assigning any reasons, and instead of being given the scale of pay of Rs.1010-1800, petitioners are being continued on consolidated pay.

There is no counter affidavit on record nor is there any representation on behalf of the respondents.

Learned counsel, for the petitioners, is not in a position to submit as to what transpired subsequent to 1996 and as to whether the petitioners were extended the benefit of time scale of pay subsequent to filing of the writ petition. Needless to state that if the petitioners are still being continued on consolidated pay, failure to extend them the benefit of time scale of pay and continuing them on consolidated pay for years together would violate the equality clause in Articles 14 and 16 of the Constitution of India. There shall be a direction to the respondents to consider the case of the petitioners for grant of time scale of pay, if they have not already been granted the said benefit and if they are still continuing in the service of the Corporation, within two months from the date of receipt of a copy of this order. The decision of the respondents in this regard shall be communicated to the petitioners within two weeks thereafter.

The writ petition is accordingly disposed of. No order as to costs.

09.09.2005

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